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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,191	12/31/2003	Derek N. LaSalle	MSFT-2833/305223.01	9181

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EXAMINER
BURGESS, BARBARA N

ART UNIT	PAPER NUMBER
2157	

MAIL DATE	DELIVERY MODE
06/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 December 2003</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-31</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-31</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12-31-03, 12-22-06</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statements (IDS) submitted on December 31,

2003 and December 22, 2006 is in compliance with the provisions of 37

CFR 1.97. Accordingly, the information disclosure statement is being considered

by the examiner.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section
> 122(b), by another filed in the United States before the invention by the applicant for patent or
> (2) a patent granted on an application for patent by another filed in the United States before
> the invention by the applicant for patent, except that an international application filed under
> the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an
> application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by

Elza et al. (hereinafter "Elza", US Patent Publication 2004/0230903 A1).

As per claims 1 and 18, Elza discloses a system for transport agnostic pull mode

messaging comprising:

a first client for sending a first message to a first adapter using a first

communication protocol, receiving a response from the first adapter using the

first communication protocol indicating that the first message was received, and

resending the first message to the first adapter using the first communication

protocol if the response from the adapter is not received within a predetermined

time period (paragraphs [0079-0080, 0086, 0088]);

a first adapter for receiving the first message and sending the response to the

first client using the first communication protocol indicating that the first message

was received, generating a second message based on the first message, and

sending the second message to a server engine using a second communication

protocol (paragraphs [0080-0082, 0085, 0110]);

a server engine for executing at least one instruction based on the second

message (paragraphs [0085, 0087, 0122]); and

a message storage for storing data associated with the second message

(paragraphs [0084, 0086]).

As per claim 2, Elza discloses the system of claim 1, further comprising:

a second client for receiving a third message from a second adapter using a third

communication protocol (paragraph [0108, 0122]); and

a second adapter for receiving a fourth message from the server engine using

the protocol, generating a third message based on the fourth message, and

sending the third message to a second client using a third communication

protocol (paragraphs [0122, 0125]).

As per claims 3, 20, Elza discloses the system and method of claims 1, 18, wherein the at least one instruction comprises an instruction for storing data associated with the second message in a storage device (paragraph [0084]).

As per claims 4, 21, Elza discloses the system and method of claims 3, 20, wherein one of the server engine and the adapter determines if the second message is a duplicate message already stored, and if so, rejects the second message; and otherwise, determines an endpoint associated with the message, and stores the message in a queue corresponding to the endpoint (paragraphs [0092, 0133]).

As per claims 5, 22, Elza discloses the system and method of claims 3, 20, wherein the storage device comprises a queue associated with an endpoint (paragraph [0137]).

As per claims 6, 23, Elza discloses the system and method of claims 5, 22, wherein the endpoint is associated with the first client (paragraph [0088]).

As per claims 7, 24, Elza discloses the system and method of claims 5, 22, wherein the endpoint is associated with at least one of a user, a client, and an application different from the client (paragraphs [0077, 0080]).

As per claims 8, 25, Elza discloses the system and method of claims 1, 18, wherein the at least one instruction comprises an instruction for retrieving additional messages from a storage device, and sending the additional messages to an endpoint (paragraphs [0084-0085]).

As per claims 9, 26, Elza discloses the system and method of claims 8, 26, wherein the endpoint is associated with the first client (paragraph [0088]).

As per claims 10, 27 Elza discloses the system and method of claims 8, 25, wherein the endpoint is associated with at least one of a user, a client, and an application different from the client (paragraphs [0077, 0080]).

As per claims 11, 28, Elza discloses the system and method of claims 1, 18, wherein the first client generates the first message prior to sending the first message, the first message comprising a unique message identifier (paragraphs [0075, 0131]).

As per claims 12, 29, Elza discloses the system and method of claims 1, 18, wherein the first adapter or the server engine determines if the received first message is a duplicate of an already received message (paragraph [0133]).

As per claims 13, 30, Elza discloses the system and method of claims 1, 18, wherein the first client device generates a first client device specific unique identifier corresponding to the first message, stores the first client specific

identifier, and sends the client specific identifier along with the first message to the first adapter (paragraphs [0131-0132]).

As per claims 14, 31, Elza discloses the system of claim 1, wherein the response comprises a first client specific unique message identifier, and the first client verifies that the received first client specific identifier corresponds to a stored first client specific identifier (paragraph [0133]).

As per claim 15, Elza discloses the system of claim 1, wherein the first communication protocol is different from the second communication protocol (paragraph [0080]).

As per claim 16, Elza discloses the system of claim 2, wherein the second communication protocol is different from the third communication protocol (paragraph [0080]).

As per claim 17, Elza discloses the system of claim 2, wherein the third communication protocol is different from the first communication protocol (paragraph [0080])

As per claim 19, Elza discloses the method of claim 18 wherein the first communication protocol is different from the second communication protocol (paragraph [0080]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BARBARA N. BURGESS whose telephone number is (571)272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Barbara N Burgess/   Barbara N Burgess
Examiner, Art Unit 2157   Examiner
                                                      Art Unit 2157

June 20, 2008
. /Ario Etienne/

Supervisory Patent Examiner, Art Unit 2157